

MAUPIN TAYLOR ELLIS & ADAMS, P.C.

ATTORNEYS AT LAW

RALEIGH ADDRESS
3200 BEECHLEAF COURT, SUITE 500
RALEIGH, NORTH CAROLINA 27604-1064
TELEFAX (919) 981-4300
TELEPHONE (919) 981-4000

1130 CONNECTICUT AVENUE, N.W., SUITE 750
WASHINGTON, D.C. 20036-3904
TELEFAX (202) 457-8558
TELEPHONE (202) 429-8910

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POSTED
DAT

ROCK HILL OFFICE
3448 LAKESHORE PARKWAY, SUITE 200
ROCK HILL, SOUTH CAROLINA 29730-4264
TELEFAX (803) 324-2093
TELEPHONE (803) 324-8118

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January 17, 1992

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JAN 17 1992

Federal Communications Commission
Office of the Secretary

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: FM Channel 237A
South Congaree, South Carolina

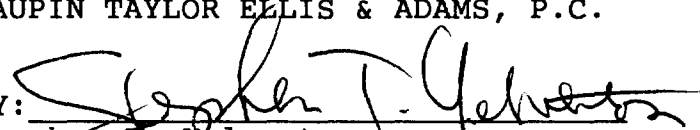
Dear Ms. Searcy:

Enclosed for filing on behalf of Alexander Snipe, Jr., d/b/a
Glory Communications is an original and four (4) copies of its
"Opposition to Motion" filed by Valentine Communications, Inc.

Please contact the undersigned in our Washington, D.C.
office.

Respectfully submitted,

MAUPIN TAYLOR ELLIS & ADAMS, P.C.

BY: 
Stephen T. Velverton
Attorneys for Alexander Snipe, Jr.
d/b/a Glory Communications

cc: Audio Services Division

Enclosures

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JAN 17 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Federal Communications Commission
Office of the Secretary

In Re Application of:)
)
VALENTINE COMMUNICATIONS, INC.) File No. BPH-910228MD
)
For Construction Permit)
for a New FM Station,)
Channel 237A,)
South Congaree, South Carolina)
)

To: Chief, Audio Services
Division

OPPOSITION TO MOTION

Alexander Snipe, Jr., d/b/a Glory Communications ("Glory"), by its attorneys, pursuant to Section 1.294(b) of the Commission's Rules, hereby submits this "Opposition to Motion." On January 7, 1992, Valentine Communications, Inc. ("Valentine") filed a "Motion to Accept Late Filed Pleading." Therein, Valentine seeks leave to submit an opposition to a "Petition To Deny Or Dismiss," filed by Glory on November 19, 1991. In opposition to the motion, Glory submits the following comments.¹

Valentine's opposition was due on December 2, 1991. It states that an opposition was not timely filed because its counsel did not notify it of Glory's petition. Valentine thereafter obtained new counsel on December 17, 1991.

¹The Commission was closed on Tuesday, January 14, 1992. Therefore, pursuant to Sections 1.4(g) and (h) of the Rules, this opposition is timely filed.

Even conceding that Valentine can shift responsibility to its former counsel for failure to timely file an opposition, Valentine does not explain why it took its new counsel from December 17, 1991, to January 7, 1992 (a period of three weeks), to file a motion for leave to file an opposition. Until this inexplicable and inordinate delay in filing is explained, the motion should not be granted.

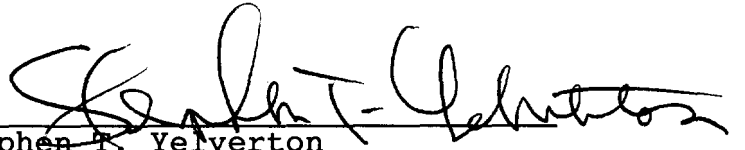
As noted by Valentine, its new counsel contacted Glory's counsel about the motion for leave to file an opposition. Glory indicated no position at that time as to such a filing. Valentine fails to note that it contacted Glory on December 20, 1991.

Valentine submits a declaration from Terry Hicks, its purported sole voting stockholder, as to the reasons for the late submission of the opposition. However, the declaration is even more vague and ambiguous than the representations of Valentine's new counsel. This declaration raises more questions than it answers.

WHEREFORE, in view of the foregoing, Glory requests that the Commission not grant the motion for leave to accept the late filed opposition until Valentine fully explains the reasons for its submission after December 17, 1991.

Respectfully submitted,

MAUPIN TAYLOR ELLIS & ADAMS, P.C.

BY: 
Stephen R. Yelverton
Attorneys for Alexander Snipe, Jr.
d/b/a Glory Communications
1130 Connecticut Avenue, N.W., Suite 750
Washington, D. C. 20036-3904

January 17, 1992

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CERTIFICATE OF SERVICE

I, Kate D. Shawcross, a secretary in the law offices of Maupin Taylor Ellis & Adams, P.C., do hereby certify that on this 17th day of January, 1992, I have caused to be hand delivered or mailed, U.S. Mail, first-class, postage prepaid, a copy of the foregoing "Opposition to Motion" to the following:

Larry D. Eads, Chief *
Audio Services Division
Mass Media Bureau
Room 302
Federal Communications Commission
Washington, D.C. 20554

George L. Lyon, Jr.
Lukas, McGowan, Nace & Gutierrez, Chartered
1819 H St., N.W., Suite 700
Washington, D.C. 20006
Counsel for Valentine Communications, Inc.

Roy F. Perkins, Jr.
1724 Whitewood Lane
Herndon, Virginia 22070
Counsel for Lexco Radio


Kate D. Shawcross

*Hand delivery

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